



An Act

Passed by the Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and Held at *Boston* upon Wednesday the twenty-fifth Day of *May* 1743, and continued by Adjournment to Thursday the eighth Day of *September* following.

CHAP. I.

An Act for erecting of Work-Houses for the Reception and Employment of the Idle and Indigent.

WHEREAS the erecting of Houses for the Entertainment and Employment of idle and slothful Persons who refuse to exercise any lawful Calling or Business whereby to support themselves and Families, and of the Poor and Indigent that want Means to employ themselves, may be of great Advantage to the Publick, and more especially to the Towns that shall be concern'd in such an Undertaking :

Preamble,

Be it therefore enacted by the Governour, Council and House of Representatives, That whensoever any Town within this Province shall see meet to erect or provide an House for the Purpose before mentioned, such Town shall be and hereby is authorized and impowered so to do ; as also at their publick Meetings for the Choice of Town Officers in the Month of *March* annually, to chose five seven or nine Overseers of said House, who shall have the Inspection, Ordering and Government thereof, with Power of appointing a Master and needful Assistants for the more immediate Care and Oversight of the Persons received into, or employed in said House : which Overseers once in every Month, and at other Times as Occasion shall require, shall assemble together to consider and determine of the most proper Methods for the Discharge of their Office ; and at their stated monthly Meetings shall have Power to make needful Orders for the Regulation of such House, which Orders shall be binding till the next publick Meeting of the Inhabitants of such Town (to whom such Orders shall be presented for Approbation) and when by them approved shall be obligatory until revoked by said Town.

Any single Town may erect a Work-House, appoint Overseers, &c.

Overseers may make needful Orders for regulating such House.

Work-houses.

Two or more Towns may erect a Work-House.

May appoint Overseers to inspect the House, and order the Affairs of it.

And be it further enacted, That when any Number of Towns shall agree (at their joint Charge and for their common Benefit) to erect or provide a Work-House for the Employment of Persons residing in such Towns that are indigent or idle, or to purchase Land whereon to erect such House and for the Accommodation of it, they shall be and hereby are vested with Authority so to do; and the Regulation Inspection and Government of such House when erected, ordering the needful Repairs of it, with Power of appointing a Master and other Assistants, and him or them (in Case of any irregular Behaviour, Incapacity, or other just Cause) to remove from their respective Offices or Trusts, shall be in the Hands of the Overseers to be from Year to Year specially appointed or chosen by the several Towns concerned at their anniversary publick Meetings in the Month of *March*; each Town to choose five, unless all the Towns engaged in the Undertaking shall agree upon any other Number or Proportions; and in Case of the Death of any Overseer, or his removal out of the Town for which he was appointed, the Vacancy thereby made may be supply'd by such Town at any other publick Meeting; and if any Town or Towns concern'd, shall neglect to choose such Overseers, in such Case the Person or Persons chosen by the other Towns may proceed in all Affairs of said House, any such Neglect or Refusal notwithstanding.

Overseers to hold quarterly Meetings.

And be it further enacted, That there be stated Quarterly Meetings of all the Overseers on the first Tuesday of the Months of *April, July, October* and *January*, from Year to Year, to be held at the Work-House, in order to inspect the Management thereof, and for the ordering the Affairs of said House; and besides these stated Meetings, intermediate Meetings (to be held at the Work-House) may be called (when Need requires) by the Overseers of any Town concern'd, due Notice of the Time and Occasion thereof being given to the rest in such Way and Manner as shall be agreed on by the Overseers at any General stated Meeting.

May choose a Moderator, Clerk, &c.

And be it further enacted, That the Overseers when duly assembled may choose a Moderator to regulate the Business of the Meeting, who shall have a Voice in Matters voted or transacted by the Overseers, in Case only of an Equi-Vote; and at their first general Meeting in every Year shall likewise choose a Clerk to enter and record all Votes and Orders that from Time to Time shall be made and passed by the Overseers, who shall be sworn to the faithful Discharge of his Trust.

May make Orders and By-Laws.

May order a meet Allowance to the Master and Assistants.

And be it further enacted, That the Overseers for the Time being at a general quarterly Meeting (whereat one half at least of the whole Number of Overseers shall be present) shall have Power to make needful and reasonable Orders and By-Laws (not repugnant to the Laws of this Province) for the better and more decent regulating the said House, and well ordering the Affairs of it; which Orders shall be binding until the Expiration of the Year for which such Overseers shall be chosen, or until they shall be by them revoked: and at such Meeting may likewise agree with the Master or other Assistants, and order meet Allowance for their Care and Service during the Term for which such Overseers shall be chosen, or such further Term as the Towns concern'd shall agree; all other Matters of less Importance relating to the said House, may be transacted at any other Meetings duly warned, when but seven of the Overseers are present; subject nevertheless to be altered or reversed at any general stated Meeting.

And be it further enacted, That the yearly Stipend or Allowance to the Master and Assistants over and above what is provided for by this Act for their Care and Trouble, together with the Charge of keeping the House in Repair, shall be paid by the several Towns concerned in Proportion as they

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Work-Houses.

343

set or rated in the Province Tax at the Time when such Repairs shall be made, or such Allowance stated by the Overseers, or in such other Proportion as all the Towns concern'd shall agree, and the Town or Towns refusing or neglecting to advance their respective Proportion of such Allowance or other Charges before mentioned, after they shall have been stated and adjusted by the Overseers, the same may be recovered of such delinquent Town or Towns (in any Court proper to try the same) by Action to be brought by the Person or Persons whom the Overseers may appoint for that Purpose.

By whom and in what Proportion the Allowance to the Master and Charge of repairing the House shall be decreed.

And be it further enacted, That any three or more of the Overseers in any Town already provided with such a House, and of the Overseers in any Town that (either by themselves or in Conjunction with other Towns) shall hereafter erect a Work-House, be and they are hereby directed and impowred to commit to such House (by writing under the Hands of the said Overseers) to be employ'd and govern'd according to the Rules and Orders of the House any Person or Persons (residing in such Town) that hereafter in this Act are declared liable to be sent thither: Provided that no greater Number of Persons belonging to any Town be received into the House than such Town's Proportion of said House (to be allotted them) can accommodate, when the receiving them will exclude or incommode such as belong to other Towns.

Overseers of each Town concern'd impowred to commit Persons to the Work House.

And be it further enacted, That the Persons who shall be liable to be sent to, employed and governed in any Work-House erected or to be erected by one or more Towns, pursuant to this or any former Act, are all Poor and indigent Persons, that are maintained by or receive Alms from the Town; also all Persons able of Body to Work (and not having Estate or Means otherways to maintain themselves) who refuse or neglect so to do, live a dissolute or vagrant Life, and exercise no ordinary or lawful Business or Calling whereby to gain an honest Livelihood; and all such as having some rateable Estate but not enough to qualify them to vote in Town Affairs, do neglect the due Care and Improvement of it, and by consuming their Time and Money in publick Houses to the Neglect of their proper Business, or by otherways mispending what they earn to the Impoverishment of themselves or Families, are likely to become chargeable to the Town.

Qualification of Persons liable to be sent thither.

And it is hereby further provided and enacted, That if any Town shall refuse or neglect to provide their Proportion of the needful Furniture for such House, or of the Materials, Implements and other Necessaries for carrying on the Work there to be performed, according to their Agreement, or as shall be ordered by the Overseers, such Town shall be deprived of the Privilege of sending any Person thither, until such Time as they shall comply with such Order or Agreement.

Towns neglecting to provide their Proportion of Materials, &c. deprived of the Privilege of sending Persons thither.

And be it further enacted, That besides the aforesaid Proportion of Materials &c. to be found by the Towns concerned, each Town may likewise provide such Materials, Implements and Tools for Work as the Overseers for such Town shall judge any Person by them committed to said House can be employed about with most Profit and Advantage, during his or her Abode there; and the Master of the House shall receive such Materials and keep them seperate and apart from those that shall be sent by any other Town, and shall be accountable to the Overseers of each Town concerned, as well for the prime Stock as for all Profits and Earnings that shall be made by the Labour of those (belonging to such Town) under his Care; and shall keep a Register of the Names of the Persons committed to such Work-House, with the Time of their being received into and discharged from it, and of their Earnings by their Labour, that so the same may appear to any of the Overseers whensoever they shall see Cause

The Master to keep the Materials sent by each Town apart from those sent by other Towns.

To be accountable for the prime Stock and Earnings.

To keep a Register, &c.

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Anno Regni Regis GEORGIJ II. Decimo-Sexto et Septimo.

344

Work-Houses.

Controversies
betwixt the
Master and
Overseers of
any Town
how to be de-
termined.

Each Town to
bear the
Charge of
supporting
such as they
commit to the
House
How Persons
committed
may be dis-
charged
Persons com-
mitted to be
kept to La-
bour.

In Case they
be idle or dis-
orderly, to be
punished.

The Master
to have one
Third of the
Earnings.

How the
other two
Thirds of the
Earnings and
the prime
Stock shall
be disposed
of.

Any Work
House may be
discontinued,
in Case.

Cause to inspect them; and all Controversies between the Master or Keeper of such House, and the Overseers of any Town touching his Accompts or other Affairs whatsoever, may be determined by the Overseers of the House at a General Meeting.

And be it further enacted, That no Town shall be at Charge for the Support or Relief of any Person committed to said House, who was not sent thither by the Overseers belonging to such Town; nor any Person orderly committed to it, shall be discharged from it, but by the Overseers by whom he was committed, or by the Overseers at a General Meeting, or otherwise by the Justices of the Court of General Sessions of the Peace in the same County, upon Application to them made for that Purpose; and every Person so committed (if fit and able to Work) shall be held and kept strictly and diligently imployed in Labour, during his or her abode there; and in Case they be idle and shall not duly perform such Task or Stint as shall be reasonably assign'd them, or shall be stubborn and disorderly, shall be punish'd according to the Orders that shall be made for the ruling, governing, and punishing of the Persons there to be committed, not repugnant to the Laws of this Province.

And be it further enacted, That one third Part of the Profits or Earnings of the Work done by the Persons detained in such House, shall be to the Master for and towards his Support, over and above such further annual Stipend as the Overseers fee meet to order and allow him as before mentioned for his Care and Service.

And be it further enacted, That the prime Stock, together with the other two Thirds of the Profits or Incomes of the Labour of the Persons employed there, shall be disposed of by the Overseers of the respective Towns to whom it belongs, either to the Master in Satisfaction for his Service, Care and Expence about the Persons by them committed to him, and at such Rate as the said Overseers and Master shall agree, or for the Support of the Families of the Persons there detained (if any such they have) or otherwise for the Use of such Town as Occasion shall require.

And be it further enacted, That any Work-House erected as aforesaid may be discontinued or applied to any other Use whensoever the Town or Towns concerned shall find or judge their Circumstances require it, and shall agree so to do.

Provided nevertheless, That nothing herein contained shall be construed or understood to abridge the Town of *Boston*, or the Overseers of the Poor thereof, any Privilege or Power (with Relation to a Work-House) already granted them by a late Law of this Province for that Purpose made and provided.

B O S T O N : N. E.

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